

WEDNESDAY, JANUARY 10, 2018

FORTIETH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Pastor Tim Colovos, First Baptist Church, Portland, TN.

Representative Lamberth led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Eldridge; illness

Representative Terry; business

Representative Littleton; illness

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 590 Reps. Clemmons, Gilmore and Hardaway as prime sponsors.

House Joint Resolution No. 592 Rep. Butt as prime sponsor.

House Joint Resolution No. 594 Reps. Clemmons and Gilmore as prime sponsors.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for January 11, 2018:

House Resolution No. 173 -- Memorials, Death - Cordell Winfree. by *Clemmons.

House Resolution No. 174 -- Memorials, Retirement - H. Elmer Richerson. by *Clemmons.

House Joint Resolution No. 596 -- Memorials, Sports - Sophia Schubert, 2017 U.S. Women's Amateur Tournament Champion. by *Daniel.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1478 -- Henry County - Subject to local approval, authorizes the levy of a motor vehicle privilege tax in Henry County. by *Wirgau.

***House Bill No. 1479** -- Criminal Procedure - As introduced, authorizes general sessions and criminal court judges statewide to suspend court costs and litigation tax for indigent defendants; authorizes court clerk to implement community service program in lieu of full payment of court costs and litigation taxes for indigent defendants. - Amends TCA Section 8-21-401; Title 40, Chapter 25 and Title 67, Chapter 4, Part 6. by *Dunn.

***House Bill No. 1480** -- Evidence - As introduced, prohibits the exclusion from a criminal trial of certain out-of-court statements made by a child under 12 years of age that describe any sexual act or act of physical violence directed against the child. - Amends TCA Title 24. by *Dunn.

***House Bill No. 1481** -- Education, Higher - As introduced, revises quality assurance funding to state institutions of higher education based on the institution's teacher training program outcomes. - Amends TCA Title 49, Chapter 7. by *Dunn.

***House Bill No. 1482** -- Probation and Parole - As introduced, establishes guidelines for companies or agents providing electronic monitoring services when monitoring has been ordered as a condition of a release from custody; permits judges to establish rules and authorize monitoring companies to operate in a judicial district. - Amends TCA Title 40, Chapter 35, Part 1. by *Alexander.

***House Bill No. 1483** -- Barbers and/or Cosmetologists - As introduced, requires certain professionals in the fields of barbering and cosmetology to complete five hours of biennial continuing education prior to license renewal; directs the state board of cosmetology and barber examiners to determine the qualifying curriculum. - Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4. by *Staples.

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***House Bill No. 1484** -- Tennessee Bureau of Investigation - As introduced, authorizes the director of the TBI to appoint a designee to serve in place of the director as a member of the medical investigator advisory council instead of requiring that the director serve as a member of the council. - Amends TCA Section 38-7-201(a)(2)(A)(i). by *Whitson.

***House Bill No. 1485** -- Tattoos and Piercings - As introduced, authorizes a tattoo artist to perform tattoo removal only as permitted by rules promulgated by the department of health. - Amends TCA Section 62-38-209. by *Pitts.

***House Bill No. 1486** -- Consumer Protection - As introduced, prohibits a consumer reporting agency from charging a consumer to place or remove a credit freeze if the need for a freeze was caused by the consumer reporting agency. - Amends TCA Title 47. by *Pitts.

***House Bill No. 1487** -- Professions and Occupations - As introduced, repeals requirements that authorization to engage in regulated professions and occupations be revoked for persons who default on student loans. - Amends TCA Title 3, Chapter 6, Part 3; Title 23, Chapter 3; Title 38, Chapter 1; Title 49; Title 55; Title 56; Title 62 and Title 63. by *McCormick.

***House Bill No. 1488** -- Attorney General and Reporter - As introduced, expands the attorney general and reporter's duties to include representation of an LEA or certain LEA employees in a court or administrative tribunal arising out of the adoption of a policy requiring students, faculty, and staff to utilize the restroom, locker room, or other facility that corresponds to that individual's biological sex. - Amends TCA Title 8, Chapter 6. by *McCormick.

***House Bill No. 1489** -- Consumer Protection - As introduced, prohibits persons under 18 years of age from using tanning devices in tanning facilities in this state. - Amends TCA Title 68, Chapter 117, Part 1. by *Hazlewood.

***House Bill No. 1490** -- Public Funds and Financing - As introduced, clarifies that "balloon indebtedness" under the Local Government Public Obligations Act of 1986 includes the refinancing of a debt that creates a final maturity date that is 31 or more years from the original date of issuance. - Amends TCA Section 9-21-134. by *Hazlewood.

***House Bill No. 1491** -- Firefighters - As introduced, creates a rebuttable presumption that a firefighter's cancer that causes a disabling health condition is a result of the firefighter's duties as a firefighter. - Amends TCA Title 7, Chapter 51; Title 50, Chapter 6 and Title 68, Chapter 102. by *Reedy.

***House Bill No. 1492** -- Taxes, Hotel Motel - As introduced, authorizes the City of Farragut, by a two-thirds vote of its governing body, to levy a privilege tax not to exceed 4 percent upon the privilege of occupancy. - Amends TCA Section 67-4-1425. by *Zachary.

***House Bill No. 1493** -- Emergency Communications Districts - As introduced, requires the emergency communications board to establish a uniform statewide emergency text message system for the purpose of assisting and responding to children in an emergency. - Amends TCA Title 7, Chapter 86. by *Carr .

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***House Bill No. 1494** -- County Government - As introduced, authorizes a county mayor or the executive of a county to evacuate the county or any portion thereof during a local state of emergency. - Amends TCA Title 38, Chapter 9 and Title 58. by *Carr .

***House Bill No. 1495** -- Lottery, Scholarships and Programs - As introduced, eliminates the one-year Tennessee residency requirement for a dual enrollment grant; requires that a student be a Tennessee resident on the date of application for, or for renewal of, a dual enrollment grant. - Amends TCA Section 49-4-930. by *Pitts, *Johnson, *Reedy, *Jernigan.

***House Bill No. 1496** -- Taxes, Ad Valorem - As introduced, provides continued eligibility for a disabled veteran's property tax relief during temporary periods of confinement in a nursing home or hospitalization if the disabled veteran intends to return to the residence once recovered. - Amends TCA Title 67, Chapter 5, Part 7. by *Pitts, *Johnson, *Reedy.

House Bill No. 1497 -- Motor Vehicles, Titling and Registration - As introduced, creates a "5th Special Forces Group (Airborne)" military license plate for issuance to current or former members of the unit and spouses or children of such members. - Amends TCA Title 55, Chapter 4. by *Johnson.

***House Bill No. 1498** -- Senior Citizens - As introduced, exempts religious organizations and religious institutions that provide limited respite care services programs from licensure for providing adult day care. - Amends TCA Title 71. by *Rogers.

***House Bill No. 1499** -- Taxes, Alcoholic Beverages - As introduced, extends by one year the manner in which liquor-by-the-drink tax proceeds are distributed to local political subdivisions. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 49; Title 57 and Title 67. by *Hulsey.

House Bill No. 1500 -- Comptroller, State - As introduced, clarifies that the Local Government Modernization Act of 2005 creates an ongoing, rather than one-time, duty of the comptroller of the treasury to ensure local governments are in compliance with the accounting and financial reporting standards established by the Governmental Accounting Standards Board. - Amends TCA Title 9, Chapter 3, Part 4. by *Vaughan.

***House Bill No. 1501** -- Comptroller, State - As introduced, revises various provisions governing comptroller of the treasury audit and accounting requirements, including the preparation of a uniform audit manual by the comptroller. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 49; Title 54; Title 64 and Title 68. by *Crawford.

House Bill No. 1502 -- Taxes, Ad Valorem - As introduced, specifies that property subject to the tax exemption for religious, charitable, scientific, or educational property, property of certain low-income persons, property of certain educational institutions, and property used for airport runways is required to have the exemption application approved by the state board of equalization; deletes the requirement that the county assessor of property submit a record of the county board of equalization's changes to the state board of equalization. - Amends TCA Title 67, Chapter 5. by *Gravitt.

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***House Bill No. 1503** -- Utilities, Utility Districts - As introduced, clarifies the entities under the jurisdiction of the utility management review board and the water and wastewater financing board. - Amends TCA Section 7-82-701 and Section 68-221-1008. by *Marsh.

***House Bill No. 1504** -- Public Funds and Financing - As introduced, requires industrial development corporations to maintain a listing of debt obligations and file the listing with the state funding board. - Amends TCA Section 7-53-304. by *Hawk.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 1455** -- Insurance, Liability -- House Insurance and Banking Committee

***House Bill No. 1456** -- Local Government, General -- House Business and Utilities Committee

***House Bill No. 1457** -- Public Funds and Financing -- House Finance, Ways & Means Committee

House Bill No. 1458 -- Naming and Designating -- House Education Administration & Planning Committee

***House Bill No. 1459** -- Public Contracts -- House State Government Committee

***House Bill No. 1460** -- Local Education Agencies -- House Education Administration & Planning Committee

House Bill No. 1461 -- Firearms and Ammunition -- House Civil Justice Committee

***House Bill No. 1462** -- Budget Procedures -- House Finance, Ways & Means Committee

***House Bill No. 1463** -- Education -- House Education Administration & Planning Committee

***House Bill No. 1464** -- Industrial Development -- House Local Government Committee

***House Bill No. 1465** -- Economic and Community Development -- House Local Government Committee

***House Bill No. 1466** -- Historical Sites and Preservation -- House State Government Committee

***House Bill No. 1467** -- Criminal Offenses -- House Criminal Justice Committee

***House Bill No. 1468** -- Taxes, Sales -- House Government Operations Committee

***House Bill No. 1469** -- Alcoholic Beverages -- House State Government Committee

***House Bill No. 1470** -- Taxes, Ad Valorem -- House Local Government Committee

***House Bill No. 1471** -- Sentencing -- House Criminal Justice Committee

***House Bill No. 1472** -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 1473 -- Municipal Government -- House Local Government Committee

***House Bill No. 1474** -- Alcoholic Beverages -- House State Government Committee

***House Bill No. 1475** -- Children -- House Civil Justice Committee

***House Bill No. 1476** -- Special License Plates -- House Transportation Committee

***House Bill No. 1477** -- Lottery, Charitable -- House State Government Committee

CONSENT CALENDAR

House Joint Resolution No. 582 -- Memorials, Death - Iyalode Nkechi Kianga Ajanaku. by *Staples.

House Joint Resolution No. 584 -- Memorials, Sports - Dale Hollow Lakers seventh-grade girls' basketball team. by *Keisling.

House Joint Resolution No. 585 -- Memorials, Death - Patricia Ann Hix. by *Keisling.

House Joint Resolution No. 586 -- Memorials, Death - Connie Wayne Dillehay. by *Keisling.

House Joint Resolution No. 587 -- Memorials, Recognition - Connie Lynn Gray Hardin. by *Butt.

House Joint Resolution No. 588 -- Memorials, Recognition - James "Jim" David Webb. by *Butt.

House Joint Resolution No. 589 -- Memorials, Recognition - Annie McGill Hardison. by *Butt.

House Joint Resolution No. 590 -- Memorials, Recognition - Ida B. Wells. by *Staples.

House Joint Resolution No. 592 -- Memorials, Retirement - Bob Duncan. by *Curcio.

House Joint Resolution No. 594 -- Memorials, Recognition - Musicians On Call. by *Beck, *Clemmons, *Gilmore.

House Joint Resolution No. 595 -- Memorials, Academic Achievement - Tennessee Speech and Debate Society. by *Smith.

Rep. Staples moved that all members of the Black Caucus and the Knox County delegation voting aye on House Joint Resolution No. 582 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt and Ragan.

Rep. Staples moved that all members of the Memphis delegation and the Black Caucus be added as co-prime sponsors on House Joint Resolution No. 590, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt and Ragan.

Rep. Smith moved that all members voting aye on House Joint Resolution No. 595 be added as co-prime sponsors with Knox County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt and Ragan.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	93
Noes.....	0

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE
January 10, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 478; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**WEDNESDAY, JANUARY 10, 2018 -- FORTIETH LEGISLATIVE DAY UNOFFICIAL
VERSION**

Senate Joint Resolution No. 478 -- General Assembly, Recess & Reconvene -
Recesses general assembly for Martin Luther King, Jr., Day holiday from January 11, 2018, until
January 17, 2018. by *Norris.

**MESSAGE FROM THE SENATE
January 10, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.
479; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 479 -- General Assembly, Joint Conventions - Calls joint
convention to fulfill ethics course requirement for members of general assembly. by *Norris.

**MESSAGE FROM THE SENATE
January 10, 2018**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No.
593; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
January 10, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have
carefully compared House Joint Resolution No. 593; and find same correctly enrolled and ready
for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
January 10, 2018**

The Speaker announced that she had signed the following: House Joint Resolution No.
593.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
January 10, 2018**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No.
593; signed by the Speaker.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become
the official record of the House after it has been adopted by the House.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
January 10, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No. 593; for his action.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
January 10, 2018**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 582, 584, 585, 586, 587, 588, 589, 590, 592, 594 and 595.

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

RECESS

On motion of Rep. Casada, the House stood in recess until 9:00 a.m., Thursday, January 11, 2018.